



MARY E. D'ANDREA
Clerk of Court

OFFICE OF THE CLERK
UNITED STATES DISTRICT COURT
for the
MIDDLE DISTRICT OF PENNSYLVANIA
William J. Nealon Federal Bldg. & U.S. Courthouse
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October 15, 2001

Ms. Nellie Torres Klein
Supervisory Attorney
USP-Lompoc
3901 Klein Blvd.
Lompoc, CA 93436

Re: Michael Stevens, #06284-055,
Stevens v. Warden, Civil No. 1:CV-00-1316

Dear Ms. Klein:

We are in receipt of your letter to the Clerk of Court regarding the above-referenced inmate and civil action. Your letter states that Mr. Stevens has refused to sign a form which authorizes you to withdraw funds from his inmate account to pay the filing fee for his action.

Mr. Stevens has already completed and signed the necessary forms for payment of the full filing fee. I am enclosing a copy of the docket sheet for Mr. Stevens' case, and copies of Document 2, the application to proceed in forma pauperis and Document 3, the Authorization form, both of which accompanied Mr. Stevens' civil rights complaint. Also enclosed is a copy of Document 4, the Administrative Order issued by the court to the warden where he was incarcerated.

As you will note, Paragraph No. 1 of the application to proceed in forma pauperis states: "I am willing to pursue my claims in this action under the new provisions of the prison Litigation Reform Act, understanding that pursuing my claim requires payment of a partial filing fee and deduction of sums from my prison account when funds exist until the filing fee of \$150.00 has been paid in full." The Authorization form states in Paragraph 2: "I also understand that the entire fee will be deducted from my account regardless of the outcome of my civil action." By signing those forms, Mr. Stevens acknowledged understanding that he was required to pay the full filing fee despite the court's disposition of his claims.

Ms. Nellie Torres Klein

October 11, 2001

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The Administrative Order is issued by the court to the prison warden or superintendent, and advises the prison that they are authorized to deduct funds to pay the filing fee. As stated in the last paragraph of the Order, if the inmate is transferred, the Administrative Order from the court must be forwarded to the receiving institution so that facility can continue to forward funds to the court in payment of the full filing fee. It is possible that Mr. Stevens' prior place of confinement did not forward the Administrative Order to your institution regarding payment of his outstanding balance for the \$150.00 filing fee.

Please feel free to contact us if you have any further questions.

Sincerely,

Diana L. Belisario, Esquire
Pro Se Law Clerk

DLB:laf
Enclosures